



Attorney's Docket No. 35718/239836 (5718-152)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Crane *et al.*
Appl No.: 10/039,836 Confirmation No. 9340
Filed: 10/23/01
For: MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND METHODS
OF USE

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

SUBMITTAL OF DECLARATION
UNDER 37 C.F.R. § 1.63

Sir:

Enclosed is a Declaration and Power of Attorney for the above-identified patent application that has been executed by the named inventors.

A check in the amount of \$130 is also enclosed to cover the surcharge under 37 C.F.R. § 1.16(e). Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Kelly J. Williamson
Registration No. 47,179

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ALSTON & BIRD LLP
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"Express Mail" Mailing Label Number EL868641888US
Date of Deposit: **May 28, 2002**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on May 28, 2002.

Pamela Lockley
RTA01 2117908v1



05-29-02

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UNITED STATES PATENT AND TRADEMARK OFFICE

CHIEF EXAMINER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20535
www.uspto.gov

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MIP/H

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,836	10/23/2001	Virginia C. Crane	35718/239836 (5718-152)

CONFIRMATION NO. 9340

00826
ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

FORMALITIES LETTER



OC000000007727572

Date Mailed: 03/27/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney's Docket No. 35718/239836 (5718-152)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Crane *et al.* Confirmation No.: 9340
Appl. No.: 10/039,836 Group Art Unit: 1642
Filed: 10/23/01 Examiner: To Be Assigned
For: MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND
METHODS OF USE

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

Sir:

The Notice to File Missing Parts mailed March 27, 2002 indicates that a computer readable form of the Sequence Listing is required in the above-referenced application. A CFR of the Sequence Listing was mailed to the U.S. Patent and Trademark Office on April 22, 2002.

Applicants submit that the requirements to comply with Sequence Listing Rules have been satisfied.

Respectfully submitted,

Kelly J. Williamson
Kelly J. Williamson
Attorney/Agent for Applicant
Registration No. 47,179

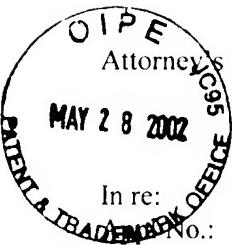
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BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on May 28, 2002.

Pamela Lockley
Pamela Lockley/RTA01:2117#12v1



Attorney's Docket No. 35718/259836 (5718-152)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Crane *et al.*
Application No.: 10/039,836
Filed: 10/23/01
For: MAIZE PROTEINASE INHIBITOR-LIKE POLYNUCLEOTIDES AND METHODS OF USE

Confirmation No.: 9340

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Application dated March 27, 2002, enclosed are the following:

- Part 2 of Formalities Letter or Form PTO-1533
(Notice to File Missing Parts of Application)
- Declaration and Power of Attorney for the above-identified application which has been executed by the named inventor(s)
- Applicant claims small entity status
- Check in the amount of \$130.00 to cover the \$130.00 surcharge under 37 C.F.R. § 1.16(e)
- English Translation and \$130.00 (37 CFR 1.17(k)) fee for filing late.
- Other: Notice to Comply with Sequence Listing Requirements

Any additional fee or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Kelly J. Williamson
Registration No. 47,179

Customer No. 29122

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